

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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KEVIN DOYLE,	:	
	:	
Counterclaim Plaintiff,	:	21-CV-8528 (LTS) (OTW)
	:	
-against-	:	<u>ORDER</u>
	:	
CHRISTOPHER GENTILE and JUAN A.	:	
CRAWFORD,	:	
	:	
Counterclaim Defendants.	:	
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ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of ECF 105, 106, 107, 108, and 109.

On October 3, 2024, the Court Ordered *pro se* Counterclaim Defendants Christopher Gentile and Juan Antonio Crawford (the “Counterclaim Defendants” or, as appropriate, “Crawford” or “Gentile”) to show cause (“OSC”), in writing, by Friday, October 11, 2024, why monetary and/or equitable sanctions, including a recommendation of entry of default, should not be granted for Counterclaim Defendants’ failure appear at the October 3 conference as directed by ECF 98. (ECF 103). Counterclaim Defendants’ outgoing counsel, Grant & Eisenhofer, served the October 3 OSC on their clients by email on October 3, 2024. (ECF 104). On October 11, 2024, Crawford filed a consent to receive electronic service and a change of address. (ECF 105, 106). On October 21, 2024, both Gentile and Crawford filed a response to the October 3

Order, explaining that they both had “extenuating circumstances, which prevented [them] from flying to New York for court.” (ECF 108).¹

At the October 3, 2024, status conference, Grant & Eisenhofer informed the Court that they were holding a document production that their clients had instructed them not to produce unless so ordered by the Court. In light of Crawford and Gentile’s failure to appear, I directed Grant & Eisenhofer to hold their former clients’ document production in escrow until further Order of the Court.

Although Counterclaim Defendants filed a response to the OSC that apparently indicates that “extenuating circumstances” prevented their attendance at the October 3 conference, they have not indicated whether they intend to defend the case, whether they take any position on their former counsel making the document production, or any reason why they intended to withhold their document production. In light of Counterclaim Defendants’ silence on these issues, Grant & Eisenhofer are directed to make the document production currently held in escrow by **November 1, 2024**.

Counterclaim Defendants are further **ORDERED** to file a *pro se* notice of appearance by **November 1, 2024**. If Counterclaim Defendants fail to comply with this Order, the Court will set a briefing schedule for a motion for default and, potentially, a motion for sanctions.

¹ Gentile explains that during the October 3 conference he was attending to a “high profile client whom [sic] battles mental health and substance abuse issues.” Crawford’s “extenuating circumstances” were not explained. (ECF 108).

Counterclaim Plaintiff is directed to serve a copy of this Order on Grant & Eisenhofer and Counterclaim Defendants.

SO ORDERED.

Dated: October 28, 2024
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge